

## §0.155

Enforcement Administration, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Director of the United States Marshals Service, and the Director of the Office of Justice Assistance, Research and Statistics, as to their respective jurisdictions, and the Assistant Attorney General for Administration, as to all other organizational units of the Department (including U.S. Attorneys), are hereby authorized to exercise the authority vested in the Attorney General by sections 5522–5527 of title 5, U.S. Code, and Executive Order 10982 of December 25, 1961, and to administer the regulations adopted by the Attorney General in Order No. 269–62 with respect to advance and evacuation payments and special allowances.

[Order No. 423–69, 34 FR 20388, Dec. 31, 1969, as amended by Order No. 520–73, 38 FR 18380, July 10, 1973; Order No. 565–74, 39 FR 15877, May 6, 1974; Order No. 960–81, 46 FR 52351, Oct. 27, 1981; Order No. 2650–2003, 68 FR 4928, Jan. 31, 2003]

## §0.155 Waiver of claims for erroneous payments of pay and allowances.

The Director of the Federal Bureau of Investigation, the Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, the Commissioner of Immigration and Naturalization, the Administrator of the Drug Enforcement Administration, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Director of the Office of Justice Assistance, Research and Statistics, as to their respective jurisdictions, and the Assistant Attorney General for Administration as to all other organizational units of the Department (including U.S. Attorneys and Marshals) are authorized to exercise the authority under 5 U.S.C. 5584 for the waiver of claims of the United States for erroneous payments of pay and allowances to employees of the Department of Justice.

[Order No. 514–73, 38 FR 12110, May 17, 1973, as amended by Order No. 520–73, 38 FR 18380, July 10, 1973; Order No. 960–81, 46 FR 52351, Oct. 27, 1981; Order No. 2650–2003, 68 FR 4928, Jan. 31, 2003; Order No. 2735–2004, 69 FR 57640, Sept. 27, 2004]

## 28 CFR Ch. I (7–1–05 Edition)

## §0.156 Execution of U.S. Marshals' deeds or transfers of title.

A chief deputy or deputy U.S. Marshal who sells property—real, personal, or mixed—on behalf of a U.S. Marshal, may execute a deed or transfer of title to the purchaser on behalf of and in the name of the U.S. Marshal.

## §0.157 Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service.

(a) Pursuant to 5 U.S.C. 3151, there is established a personnel system for senior personnel within the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA) to be known as the FBI-DEA Senior Executive Service (FBI-DEA SES).

(b) Pursuant to 5 U.S.C. 3151(b)(2)(B), a career employee in the civil service is one who occupies, or who within the last 5 years occupied, a permanent position in the competitive service, a career-type permanent position in the excepted service, or a permanent position in the SES while serving under a career appointment. A career-type permanent position in the excepted service does not include:

(1) A Schedule C position authorized under 5 CFR 213.3301;

(2) A position that meets the same criteria as a Schedule C position; and

(3) A position where the incumbent is traditionally removed upon a change in Presidential Administration.

(c) Except as to the position of Deputy Director of the FBI (which remains subject to the exclusive authority of the Attorney General), the FBI-DEA SES is subject to the overall supervision and direction of the Deputy Attorney General, who shall ensure that the FBI-DEA SES is designed and administered in compliance with all statutory and regulatory requirements.

(d) The Attorney General retains the authority to recommend members of the FBI-DEA SES for Presidential Rank Awards.

[Order No. 1600–92, 57 FR 31314, July 15, 1992, as amended by Order No. 1975–95, 60 FR 35335, July 7, 1995; Order No. 2250–99, 64 FR 46846, Aug. 27, 1999]